

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 –

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction;

violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction; Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

Nebraska State Plan for Career Technical Education

3.1.2008

<p>(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:</p> <p>(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or</p> <p>(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;</p> <p>(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).</p>	<p>DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)</p> <p>As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-</p> <p>A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and</p> <p>B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.</p>
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Place of Performance (Street address, city, county, state, zip code)
 Nebraska Department of Education

301 Centennial Mall South

Lincoln, NE 68509

Check [] if there are workplaces on file that are not identified here.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER ANR/OR PROJECT NAME
Nebraska Department of Education	
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Douglas D. Christensen, Ph.D, Commissioner of Education	
SIGNATURE 	DATE 3/28/08

ED 80-0013

12/98

ASSURANCES-NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

<p>1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.</p> <p>2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.</p> <p>3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.</p> <p>4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.</p> <p>5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R.900, Subpart F).</p> <p>6. Will comply with all Federal statutes relating to nondiscrimination. These include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681, 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps;</p>	<p>(d) the Age Discrimination Act of 1975, as amended (41 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, related to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523-527 of the Public Health Service Act of 1912 (42 U.S.C. . §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financial of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.</p> <p>7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs.</p> <p>8. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.</p> <p>Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.</p>
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9.	Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327333), regarding labor standards for federally-assisted construction subagreements.	12.	Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
10.	Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.	13.	Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
11.	Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).	14.	Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
		15.	Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
		16.	Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
		17.	Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
		18.	Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE <i>Commissioner of Education</i>
APPLICANT ORGANIZATION Nebraska Department of Education	DATE SUBMITTED <i>3/28/08</i>

Part A: EDGAR Certifications and Other Assurances

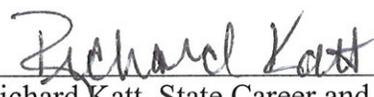
A. EDGAR Certifications and Executive Order 12372

I hereby certify:

1. That the State Board of Education is eligible to submit the 2008-2012 Nebraska State Plan for the Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270. [34 CFR 76.104(a)(1)]
2. That the State Board of Education has authority under state law to perform the functions of the State under this program. [34 CFR 76.104(a)(2)]
3. That the State legally may carry out each provision of the plan. [34 CFR 76.104(a)(3)]
4. That all provisions of the plan are consistent with state law. [34 CFR 76.104(a)(4)]
5. That Doug Christensen, Commissioner of Education, has authority under state law to receive, hold, and disburse Federal funds made available under the plan. [34 CFR 76.104(a)(5)]
6. That Richard Katt, State Director of Career Technical Education, has authority to submit the plan. [34 CFR 76.104(a)(6)]
7. That the State Board of Education, on March 4, 2008 adopted and formally approved the plan. [34 CFR 76.104(a)(7)]
8. That the plan is the basis for state operation and administration of the program. [34 CFR 76.104(a)(8)]
9. Nebraska does not utilize a State Intergovernmental Review Process. [Executive Order 12372; 34 CFR 79]

 Date: 3/28/08

 Doug Christensen, Commissioner of Education
 Nebraska Department of Education

 Date: 3/26/08

 Richard Katt, State Career and Technical Education Director
 Nebraska Department of Education

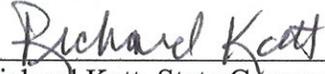
B. Other Assurances

1. The state must submit a copy of the State Plan into the State Intergovernmental Review Process. [Executive Order 12372; 34 CFR 79]
2. The state must provide a complete and signed ED Form 80-0013 for certifications regarding lobbying; debarment and suspension, and other matters; and drug-free workplace requirements. [See <http://www.ed.gov/policy/fund/guid/gposbul/gpos12.html>]
3. The state must provide a complete and signed Assurance for Non-Construction Programs Form. [See http://wdcrobiis08/doc_img/sf424b.doc]
4. The state must provide a signed assurance that it will comply with the requirements of the Act and the provisions of the State Plan, including the provision of a financial audit of funds received under the Act which may be included as part of an audit of other Federal or State programs. [Sec. 122(c)(11)]
5. The state must provide a signed assurance that none of the funds expended under the Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization. [Sec. 122(c)(12)]
6. The state must provide a signed assurance that it will waive the minimum allocation as required in section 131(c)(1) in any case in which the local educational agency is located in a rural, sparsely populated area or is a public charter school operating secondary school career and technical education programs and demonstrates that it is unable to enter into a consortium for purposes of providing services under the Act. [Section 131(c)(2)]
7. The state must provide a signed assurance that it will provide, from non-Federal sources for the costs the eligible agency incurs for the administration of programs under this Act, an amount that is not less than the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year. [Sec. 323(a)]
8. The state must provide a signed assurance that it and eligible recipients that use funds under this Act for in-service and preservice career and technical education professional development programs for career and technical education teachers, administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary school teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the geographical area served by such eligible agency or eligible recipient. [Sec. 317(a)]
9. The state must provide a signed assurance that, except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in career and technical education programs and activities receiving funds under this Act, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient. [Sec. 317(b)(1)]
10. The state must provide a signed assurance that eligible recipients that receive an allotment under this Act will consult, upon written request, in a timely and

meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient regarding the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools. [Sec. 317(b)(2)]



Date: 8/28/08
Doug Christensen, Commissioner of Education
Nebraska Department of Education



Date: 3/20/08
Richard Katt, State Career and Technical Education Director
Nebraska Department of Education

C. Assurances of Compliance with the Requirements of the Carl D. Perkins Career and Technical Education Improvement Act of 2006

I hereby certify:

That the State will comply with the requirements of the Act and the State Plan, including the provision of a financial audit of funds received under the Act which may be included as part of an audit of other Federal or State programs. [Section 122(c)(11)]

That none of the funds expended under the Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization. [Section 122(c)(12)]

That the State will waive the minimum allocation as required in Section 131(c)(1) in any case in which the local educational agency is located in a rural, sparsely populated area or is a public charter school operating secondary school career and technical education programs and demonstrates it is unable to enter into a consortium for purposes of providing services under the Act. [Section 131(c)(2)]

That the State will provide, from non-Federal sources for the costs the eligible agency incurs for the administration of programs under this Act, an amount that is not less than the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year. [Section 323(a)]

That the State and eligible recipients that use funds under this Act for in-service and preservice career and technical education professional development programs for career and technical education teachers, administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the geographic area served by such eligible agency or eligible recipient. [Section 317(a)]

That, except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in career and technical education programs and activities receiving funds under this Act, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient. [Section 317(b)(1)]

That eligible recipients that receive an allotment under this Act will consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient regarding the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools. [Section 317(b)(2)]

That no funds received under the Act will be used to provide career and technical education programs prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used for such students. [Section 315]

That no funds made available under this Act will be used to require any secondary school student to choose or pursue a specific career path or major; or to mandate that any individual participate in a career and technical education program, including a career and technical education program that requires the attainment of a federally funded skill level, standard, or certificate of mastery. [Section 314(1)&(2)]

That all of the funds made available under this Act shall be used in accordance with the requirements of this Act. [Section 6]

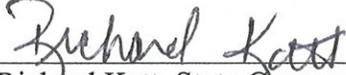
That the funds made available under this Act for career and technical education activities shall supplement and shall not supplant, non-Federal funds expended to carry out career and technical education activities and tech prep program activities. [Section 311]

That no funds provided under this Act shall be used fore the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one state to another state if such relocation will result in a reduction in the number of jobs available in the state where the business enterprise is located before such incentives or inducements are offered. [Section 322]

That the State will comply with the provisions of Section 112(a)(1) in that not less than 85 percent of the funds made available under Title I, part A of the Act will be distributed to eligible recipients pursuant to such title and approved waivers for Section 131 and 132.



Date: 3/28/08
Doug Christensen, Commissioner of Education
Nebraska Department of Education



Date: 3/26/2008
Richard Katt, State Career and Technical Education Director
Nebraska Department of Education